

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JASON MCLEAN and  
BRIAN COLEMAN,

Plaintiffs,

v.

COMMUNICATIONS CONSTRUCTION  
GROUP, LLC.,

Defendant.

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\*  
\* C. A. 06-617 SLR  
\*  
\* JURY TRIAL DEMANDED  
\*  
\*  
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MOTION FOR PERMISSION TO APPEAL IN FORMA PAUPERIS

1. Jason McLean was a Plaintiff in the above captioned action.
2. The Court issued an order granting Defendant's motion for summary judgment on March 7, 2008.
3. Pursuant to Federal Rule of Appellate Procedure, Rule 24, Plaintiff now files a Motion for Permission to Appeal in forma pauperis.
4. The primary issue on appeal is whether there were material facts in dispute such that the Judge's decision to grant Defendant's motion for summary judgment was in error.
5. For the reasons outlined in the attached application, Plaintiff is unable to pay the fees for the appeal to the United States Court of Appeals for the 3rd Circuit.

Wherefore now, the Plaintiff petitions the Court to grant the Motion for Permission to Appeal in Forma Pauperis.

LAW OFFICE OF MAGGIE CLAUSELL, LLC,

A handwritten signature in dark ink, appearing to read "Maggie Clausell", is written over a horizontal line.

Maggie Clausell, Esq.

Bar ID 4532

9 E. Loockerman Street #205

Dover, DE 19901

*Attorney for Plaintiff*

DATE: April 1, 2008

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C. A. 06-617 SLR

JURY TRIAL DEMANDED

ORDER

AND NOW, it is hereby ORDERED that the above Motion for Permission to Appeal In Forma Pauperis is granted on this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

\_\_\_\_\_  
Judge

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
Mickayla McLean	Daughter	3

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 600	\$ N/A
Are real-estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 300	\$ 0
Home maintenance (repairs and upkeep)	\$ 50	\$ 0
Food	weekly \$ 50 20v	\$ 0
Clothing	weekly \$ 10 40	\$ 0
Laundry and dry-cleaning	weekly \$ 10 40	\$ 0
Medical and dental expenses	weekly \$ 87 348	\$ 0
Transportation (not including motor vehicle payments)	weekly \$ 20 80	\$ 0
Recreation, entertainment, newspapers, magazines, etc.	\$ 40	\$ 0
Insurance (not deducted from wages or included in mortgage payments)	\$ 0	\$ 0
Homeowner's or renter's	\$ 0	\$ 0
Life	\$ 0	\$ 0
Health	\$ 0	\$ 0
Motor Vehicle	weekly \$ 100 40v	\$ 0
Other:	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments) (specify):	<del>700</del> 700	\$ 0
Installment payments	\$ 0	\$ 0
Motor Vehicle	\$ 0	\$ 0
Credit card (name): City Bank	weekly \$ 100 10v	\$ 0
Department store (name):	\$ 0	\$ 0
Other:	\$ 0	\$ 0
Alimony, maintenance, and support paid to others	weekly \$ 100 40v	\$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 20	\$ 0
Other (specify):	\$ 10	\$ 0

Total monthly expenses:

~~279~~  
\$ 3188

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Cablenet Services	572 Pierhead Blvd. Smyrna DE 19782	6.06 - present	\$3000

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
N/A	N/A	N/A	N/A

4. How much cash do you and your spouse have? \$200

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
N/A	N/A	\$ N/A	\$ N/A
		\$	\$
		\$	\$

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home	(Value)	Other real estate	(Value)	Motor vehicle #1	(Value)
N/A		N/A		Make & year: N/A	
				Model:	
				Registration #:	
Motor vehicle #2	(Value)	Other assets	(Value)	Other assets	(Value)
Make & year:					
Model:					
Registration #:					

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
N/A	N/A	N/A

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>3000</u>	\$ <u>N/A</u>	\$ <u>3000</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Gifts	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Child support	\$ <u>400</u>	\$ <u>N/A</u>	\$ <u>400</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	<del>\$ <u>1000</u></del> <u>0</u>	\$ <u>N/A</u>	<del>\$ <u>1000</u></del> <u>0</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
<b>Total monthly income:</b>	\$ <u>2600</u>	\$ <u>N/A</u>	\$ <u>2600</u>	\$ <u>N/A</u>

Form 4

## FEDERAL RULES OF APPELLATE PROCEDURE

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9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes ☒ No If yes, describe on an attached sheet.

10. Have you paid — or will you be paying — an attorney any money for services in connection with this case, including the completion of this form? ☒ Yes ☐ No

If yes, how much? \$ 1000 plus

If yes, state the attorney's name, address, and telephone number:

Maggie Clausell Esq.  
9 East Lockerman Street Suite 205  
Dover DE 19901

11. Have you paid — or will you be paying — anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☒ Yes ☐ No

If yes, how much? \$ 2000

If yes, state the person's name, address, and telephone number:

Ronald G. Poliquin Esq.  
30 The Green Dover DE  
19901 (302) 672-5600

12. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

I'm living paycheck to paycheck barely able to pay child support, and paying off a car.

13. State the address of your legal residence.

1266 S. Farmview dr  
Dover DE 19901

Your daytime phone number: (302) 423-4246

Your age: 24 Your years of schooling: 13

Your social-security number: 22268 [REDACTED]

(As amended Apr. 24, 1998, eff. Dec. 1, 1998.)